

Franchise and Concession Review Committee Public Hearing
November 6, 2017

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PUBLIC HEARING
FRANCHISE AND CONCESSION REVIEW COMMITTEE
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2 Lafayette Street
14th Floor Auditorium
New York, New York 10007

Monday, November 6, 2017
2:35 p.m.

1 APPEARANCES:

2 Mayor:
Peter Hatch

3 Clerk:
4 Stephanie Ruiz

5 Office of the Mayor:
Benjamin Furnas

6 Corporation Counsel:
7 Sharon Cantor

8 Office of Management and Budget:
Yvonne Quintian

9 Comptroller:
10 Jennifer Conovitz

11 Department of Information Technology and
Telecommunications:
12 Tanessa Cabe

13 Borough President of Brooklyn:
Tonya Cantlo-Cockfield

14 Borough President of Manhattan:
15 James Caras

16 Borough President of Staten Island:
Lashay Young

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PROCEEDINGS

MR. HATCH: Good afternoon. The Public Hearing will now come to order. Will the Clerk please call the role?

THE CLERK: Mayor?

THE MAYOR: Here.

THE CLERK: Office of Mayor?

MR. FURNAS: Here.

THE CLERK: Comptroller?

MS. CONOVITZ: Here.

THE CLERK: Corporation Counsel?

MS. CANTOR: Here.

THE CLERK: Office of Management and Budget?

MS. QUINTIAN: Here.

THE CLERK: Borough President of the Bronx?

(No response.)

THE CLERK: Borough President of Brooklyn?

MS. CANTLO-COCKFIELD: Here.

THE CLERK: Borough President of Manhattan?

MR. CARAS: Here.

THE CLERK: Borough President of

1 Queens?

2 (No response.)

3 THE CLERK: Borough President of
4 Staten Island?

5 MS. YOUNG: Here.

6 MR. HATCH: Welcome to this Public
7 Hearing of the Franchise and Concession
8 Review Committee. The hearing being
9 conducted today has been publicly
10 advertised in accordance with the New
11 York City Charter and Concession Rules
12 of the City of New York.

13 We want to be sure that anyone
14 desiring to be heard has an opportunity
15 to do so. All persons wishing to speak
16 must fill out a request slip, which may
17 be obtained from the Clerk. Each
18 speaker will be allotted approximately
19 three minutes. When you testify, please
20 state your name and affiliation, if any.

21 Will the Clerk please call the first
22 calendar item?

23 THE CLERK: New York City Department
24 of Information Technology and
25 Telecommunications, Calendar Item Number

1 One: In the matter of the intent to seek
2 Franchise and Concession Review
3 Committee approval of a proposed
4 assignment of an information services
5 franchise agreement between the City of
6 New York and Metro Fiber Co., LLC, or
7 Metro, doing business as Axiom Fiber
8 Networks, whereby Metro proposes to
9 assign its assets, including its
10 franchise agreement, to ExteNet Systems
11 New York, Inc.

12 MR. HATCH: We will take testimony
13 from the public, but first we'd like to
14 ask any members of the Committee if they
15 have statements.

16 MS. CONOVITZ: (Indicating.)

17 MR. HATCH: We have one.

18 MR. CARAS: (Indicating.)

19 MR. HATCH: Two. Shall we begin
20 with the Comptroller?

21 MS. CONOVITZ: Sure. First, we want
22 to thank DoITT for working with us
23 concerning the assignment of these
24 franchise agreements. Based on our
25 conversations and discussions with DOIT,

1 we understand that DoITT has also
2 conducted due diligence concerning
3 ExteNet Systems, Inc., the parent of
4 ExteNet Systems New York, Inc.

5 As a result, we understand that DoITT
6 will revise the relevant responsibility
7 of determination accordingly. We
8 further understand that the resolution
9 that comes before this committee on this
10 matter may be amended. Thank you.

11 MR. HATCH: Thank you. Next, we'd
12 like to recognize the Manhattan Borough
13 President.

14 MR. CARAS: This was in the nature
15 of a question, I guess. I just wanted
16 to make sure that we had gotten all of
17 the information outlined in the
18 franchise agreement, in terms of for
19 approving a transfer and especially the
20 financial situation of the transferee
21 and information regarding any potential
22 impact on customers and that the data
23 had been reviewed and that was all
24 satisfactory regarding abilities of
25 ExteNet.

1 MS. CABE: DoITT did review a
2 financial document submitted by the new
3 franchisee, and we were satisfied that
4 they have the financial ability to take
5 over the franchise agreement. We also
6 believe that the customers will be -- it
7 will be a seamless transition for the
8 customers. We have information about
9 the management of the new franchisee,
10 and we were satisfied they would be able
11 to take it on.

12 MR. CARAS: Okay. Thanks.

13 MR. HATCH: Does anyone else wish to
14 testify?

15 (No response.)

16 THE MAYOR: If no one else wishes to
17 speak, will the Clerk please call the
18 second calendar item?

19 THE CLERK: New York City Department
20 of Information Technology and
21 Telecommunications, Calendar Item Number
22 Two: In the matter of the intent to seek
23 Franchise and Concession Review
24 Committee approval of a proposed
25 assignment of a telecommunications

1 services franchise agreement between the
2 City of New York and Metro Fiber Co.,
3 LLC, or Metro, doing business as Axiom
4 Fiber Networks, whereby Metro proposes
5 to assign its assets, including its
6 franchise agreement, to ExteNet Systems
7 New York, Inc.

8 MR. HATCH: Does anyone on the
9 committee wish to make a statement on
10 this item?

11 MS. CONOVITZ: I'd just like to
12 state that our comment with respect to
13 the first matter is equally relevant
14 with respect to the second item.

15 MR. HATCH: Thank you. Anyone else?

16 MR. CARAS: I would assume that was
17 the case.

18 MR. HATCH: Excellent. Would anyone
19 else like to testify?

20 (No response.)

21 MR. HATCH: If no one else wishes to
22 speak, that concludes today's hearing.
23 We ask that the reporter make the entire
24 Public Hearing agenda, which was made
25 publicly available and distributed at

1 this hearing, part of the final record
2 of the proceeding. The hearing is now
3 closed. Thank you.

4 (TIME NOTED: 2:40 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

ss:

COUNTY OF NEW YORK)

I, Danielle Rivera, a shorthand reporter within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the statement taken on November 6, 2017.

I further certify that I am not related to any of the parties to this action by blood or by marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 6th day of November 2017.


DANIELLE RIVERA

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PUBLIC HEARING

FRANCHISE AND CONCESSION REVIEW COMMITTEE

MONDAY, NOVEMBER 6, 2017 @ 2:30 P.M.

2 LAFAYETTE STREET, NEW YORK, NY

NOTE: INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, 253 BROADWAY, 9TH FL., NEW YORK, NEW YORK, N.Y. 10007 (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

*Franchise and Concession Review Committee Joint Public Hearing
Monday, November 6, 2017 @ 2:30 P.M.*

**NEW YORK CITY DEPARTMENT OF INFORMATION TECHNOLOGY
AND TELECOMMUNICATIONS**

No. 1: IN THE MATTER of the intent to seek Franchise and Concession Review Committee approval of a proposed assignment of an information services franchise agreement between the City of New York and Metro Fiber Co., LLC ("Metro"), doing business as Axiom Fiber Networks, whereby Metro proposes to assign its assets, including its franchise agreement, to ExteNet Systems (New York), Inc.

**NEW YORK CITY DEPARTMENT OF INFORMATION TECHNOLOGY
AND TELECOMMUNICATIONS**

No. 2: IN THE MATTER of the intent to seek Franchise and Concession Review Committee approval of a proposed assignment of a telecommunications services franchise agreement between the City of New York and Metro Fiber Co., LLC ("Metro"), doing business as Axiom Fiber Networks, whereby Metro proposes to assign its assets, including its franchise agreement, to ExteNet Systems (New York), Inc.